

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

**IN RE 2014 RADIOSHACK ERISA
LITIGATION**

MASTER FILE NO. 4:14-cv-00959-O

THIS DOCUMENT RELATES TO:

ALL ACTIONS

**UNOPPOSED MOTION TO RECONSIDER AND RESCIND THE COURT’S ORDER
OF SEPTEMBER 8, 2015**

1. On September 8, 2015, the Court entered Document 102, stating in relevant part:

Having independently reviewed the matter, the Court notes that Michael J. Klein, counsel for William A. Gerhart, is not admitted to practice before this Court. Accordingly, counsel is **ORDERED** to seek admission to appear before the United States District Court for the Northern District of Texas or to seek admission *pro hac vice* on or before **September 15, 2015**.

2. On December 17, 2014, *Gerhart v. RadioShack Corp. et al*, Docket No. 3:14-cv-04419 (the “*Gerhart Action*”), was filed.

3. On December 29, 2014, Michael Klein moved for admission *pro hac vice* in the *Gerhart Action*. *Gerhart Action* Doc. 10.

4. On December 31, 2014, Michael Klein was admitted *pro hac vice* by an electronic order in the *Gerhart Action*. *Gerhart Action* Doc. 13. Michael Klein duly received an ECF password and login.

5. On January 9, 2015, the *Gerhart Action* was consolidated into the instant action, with a notation that “all future docketing should be in [the] lead case[.]” *Gerhart Action* Doc. 10.

6. Michael Klein’s understanding was that the admission in the *Gerhart Action* carried over into the consolidated action by virtue of consolidation. *See* accompanying

Declaration of Michael J. Klein in Support of Motion to Lift the Court's Order of September 8, 2015 (the "Klein Decl.") at ¶ 2. If Michael Klein remains ordered to move for *pro hac vice*, he will be unable to do so within a week, as he must get a certificate of good standing by mail from the State of Connecticut, and that cannot be done within a week—it generally takes 2 to 4 weeks. *See* Klein Decl. at ¶ 3.

7. Counsel for all Defendants advised by e-mail on September 9, 2015, that Defendants do not oppose the instant motion.

8. Michael Klein asks the Court to reconsider and rescind its September 8, 2015 Order on the basis that the admission of Michael Klein *pro hac vice* in the *Gerhart* Action carries over into the now-consolidated action. For the Court's consideration and convenience, a proposed Order is being submitted herewith. If the proposed Order is not entered by September 14, 2015, Michael Klein will move for his admission *pro hac vice* in the lead case as soon thereafter as he can receive a certificate of good standing from the State of Connecticut.

Dated: September 9, 2015

Respectfully Submitted,

/s/ Roger L. Mandel

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CERTIFICATE OF SERVICE

I hereby certify that on September 9, 2015, I electronically filed the foregoing with the clerk of Court using the CM/ECF system, which will send a notification to all counsel of record in this Action.

/s/ Roger L. Mandel

Roger L. Mandel